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Mexico
Narcotics

MEXICO

MARIJUANA, POPPY GROWERS CAPTURED AFTER GUN BATTLE

Hermosillo EL IMPARCIAL in Spanish 1 Mar 84 p 6

[Text] On 16 February, a group of State Judicial Police agents named Benito Barrios, Guadalupe Cazares, Victor Silva, Gilberto Martinez, Enrique Arreguin and Francisco Javier Lopez submitted a report to the agent of the Federal Public Ministry attached to the first district court, to the effect that, while making a tour, they reached a farm known as La Junta, in the municipality of Tepache, owned by Martin Ochoa Montes, and were met with bullets; whereupon they returned the attack with gunfire as well.

On the occasion of the foregoing action, the responsible agents arrested Martin Ochoa Montes, Manuel Figueroa, Martin Vazquez, Luis Acedo, Everardo Encinas, Manuel de Jesus Lopez, Francisco Valenzuela, Erasmo Islas and Jose Lopez Martinez, whom the federal social representative turned over to the first district court, a court which has just officially declared those remanded imprisoned for crimes against health.

According to the resolution of the district judge, Martin Ochoa Montes, aged 39 and a native of a town in the State of Sinaloa, was declared officially imprisoned for being presumed guilty of the crimes of planting, cultivating, harvesting and possessing marijuana and poppy seed, as well as for carrying forbidden weapons and collecting them.

The other eight co-defendants were also declared officially imprisoned for being presumed guilty of the crimes of planting, cultivating and harvesting marijuana.

The federal judge was of the opinion that, in this case, the corpus delicti was demonstrated, since the existence of the marijuana and the seed was proven, as well as the carrying of firearms and the collecting thereof, without the necessary permit.

As for the presumed guilt of those now convicted, it was also proven in records, based on the evidence submitted, in addition to which they admitted the acts that had been attributed to them, for which reason a writ of official imprisonment was issued against them.

From the group arrested, or rather, from Martin Ochoa Montes, a 1983 model Ford vehicle was confiscated, as well as four rifles, three pistols, 230 useful

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cartridges, 79 boxes each containing 20 cartridges, two other boxes and other belongings. The vehicle had State of Sonora license plates.

According to the record, the one mainly responsible is Martin Ochoa Montes, owner of the farm; the other eight persons arrested were only workers or day laborers, who were given only food, but no wages.

Attached to the record is an opinion signed by the qualified chemists in the Office of the Attorney General of the Republic, to the effect that the seed collected is poppy seed, and that marijuana is the plant also collected.

It should be noted that Martin Ochoa Montes was held in the General State Penitentiary without a right to bail; and, as for the eight workers, they were each given bail of 10,000 pesos, to be posted in any legal form, but in view of their obvious poverty, they could not post the bail that was set for them. (Record 47/84). Judge by operation of law: Ernesto Encinas Villegas; Secretary: Francisco Javier Salido Araiza.

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